IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINETEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 229 of 2005

Between:

Dasari Venkatasasidhar S/o Basava Shankararao
R/o Kaligiri, Kaligiri Mandal,
Nellore District, A.P.

... PETITIONER

AND

1 The Government of Andhra Pradesh Revenue Department,
duly rep by Secretary to the Government, Secrtariat Bldings,
Hyderabad A.P.,
2 The District Collector Nellore, Nellore Town, Nellore District
Andhra Pradesh.
3 The Revenue Divisional Officer, Kavali Revenue Division, Kavali,
Nellore District A.P.,
4 The Mandal Revenue Officer, Kaligiri Mandal, Kaligiri,
Nellore District, A.P.,

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Certiorari calling for the records and to quash the impugned notice
No. 208/2004 dt 5-8-2004 issued by the Mandal Revenue Officer, Kaligiri Mandal, Kaligiri, Nellore District, Andhra Pradesh i.e., the 4th Respondent herein.

Counsel for the Petitioner: MS.CHANDANA MADALA

Counsel for the Respondents: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

Questioning the impugned notice issued by the fourth respondent – Mandal Revenue Officer in R.C.No.208/2004, dated 05-08-2004, calling for the explanation of the petitioner as to why the assignment granted in his favour in respect of Ac.1.24 cents of dry land in Survey No.6.4 and Ac.0.74 cents of dry land in S.No.6.5 of East Dubagunta Village, Kaligiri Mandal of Nellore District, should not be cancelled on the ground of violation of assignment conditions, the petitioner filed the present writ petition stating that without passing orders on the explanation dated 22-09-2004 submitted by him to the impugned notice, the respondents are taking coercive steps for cancelling his patta and evicting him from the land in question. Hence, the writ petition.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue and with their consent, the writ petition is being disposed of finally at the admission stage.

3. Having regard to the fact that the explanation stated to have been submitted by the petitioner to the impugned notice is pending consideration with the fourth respondent, I deem it appropriate to direct the fourth respondent to consider the explanation of the petitioner dated 22-09-2004 and pass appropriate orders thereon in accordance with law. Till passing of such orders, status quo existing as on today with respect to possession of the land in question shall be maintained.

4. Accordingly, the writ petition is disposed of at the admission stage.

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N.V. RAMANA, J

January 19, 2005

MRR / TVK

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to:

1 The Secretary to the Government, Government of Andhra

Pradesh, Revenue Department, Secretariat Buildings,

Hyderabad, A.P.,
2 The District Collector Nellore, Nellore Town, Nellore District,

Andhra Pradesh
3 The Revenue Divisional Office, Kavali Revenue Division, Kavali,

Nellore District, A.P.,
4 The Mandal Revenue Officer, Kaligiri Mandal, Kaligiri, Nellore

District, A.P.

5 Two C.C. s to the G.P. for Revenue, High Court Buildings,

Hyderabad (OUT)

6 Two C.D. Copies.